

Appl. No. 10/550,157  
Amdt. dated December 17, 2007  
Reply to Office Action of September 18, 2007

PATENT  
Docket No.: 00765-04

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes Fig. 2 replaces the original sheet including Fig. 2.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

**REMARKS/ARGUMENTS**

In response to the Office Action dated September 18, 2007, Applicant has amended claims 1-4, 6, 8, 10-22, 24-27, 29-33, and 35-41. Claims 1-41 are currently pending. No new matter was added by these amendments. For the reasons set forth below, Applicant respectfully traverse the objections and rejections of the claims.

**Drawing Objections**

The drawings were objected to under 37 C.F.R. 1.83(a) for allegedly failing to show every feature of the invention specified in the claims. A substitute page for Figure 2 has been submitted, correcting the labeling of item 32. Therefore, Applicants respectfully request that this objection be withdrawn.

**Specification Objections**

Applicants have submitted a copy of the Abstract on a separate sheet of paper that is attached hereto. No changes have been made to the actual content of the Abstract. Therefore, Applicants respectfully request that this objection be withdrawn.

**Claim Objections**

Applicants have amended claims 1-4, 6, 8, 10 -22, 24-27, 29-33, and 35-41 to address the objections the claims, as well as address other minor informalities. No narrowing of the scope of these claims has occurred or is intended. Therefore, this objection has been addressed, and Applicants respectfully request that it be withdrawn.

**Claim Rejections under 35 U.S.C. § 112**

The Office Action rejected claims 1-41 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-4, 6, 8, 10-21, 22, 24-27, 29-33, and 35-41 have been amended to address the alleged indefiniteness of the claims. No narrowing of the scope of these claims has occurred or is intended. Therefore, as this rejection has been addressed, Applicants respectfully request that this rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 102

The Office Action rejected claims 1-3, 7-9, 12-13, 15-17, 19-20, 22, 24-26, 28, 31-32, 34-38, 40 and 41 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,894,437 ("Hagy"). Applicants respectfully traverse this rejection for at least the reasons set forth below.

For example, claim 1 as amended recites in part, "a sensor module that detects at least one of floor acceleration, floor vibration, and floor deflection to provide acceleration, vibration, and deflection signal."

Thus, claim 1 recites detecting acceleration, vibration or deflection of the floor. Hagy fails to show this. In Hagy, the subject has to walk on a special structure called a "force plate assembly 20." [Hagy at col. 3, lines 56-64] This "force plate assembly 20 may be mounted over a pit 18 under the walkpath 11." (Hagy at col. 3, lines 62-64] Thus, Hagy requires a specialized, and likely expensive system that must be installed into a particular environment, such as a room or hallway. This would require extensive changes to the environment. More importantly, the system in Hagy is not detecting the floor, but rather involves removing the floor and replacing it with the force plate assembly 20. As Hagy does not disclose detecting floor acceleration, floor vibration or floor deflection, it does not disclose every element of claim 1.

In addition, there is no indication in Hagy that the system could be easily modified without undue experimentation. As noted above, the force plate assembly system in Hagy requires substantial modification to the particular environment. This is a far different approach than that set forth in claim 1. To modify Hagy to detect the floor, rather than a force plate assembly, would clearly require extensive experimentation.

Therefore, for at least the reasons set forth above, claim 1 is patentable over the prior art of record. Independent claims 24 and 41 recite similar language to that set for the in claim 1. Therefore, for at least the reasons set for the above, claims 24 and 41 are patentable over the prior art of record. Further, claims 2-23, and claims 25-40, which depend from independent claims 1 and 24, respectively, are also patentable for at least these reasons. Therefore, it is not necessary to address the additional patentable distinctions found in claims 2-23, and 25-40, separately. For at least these reasons, Applicants respectfully submit that

claims 1-41 are patentable over the prior art of record, and request that the rejections in the Office Action be withdrawn.

**Claim Rejections under 35 U.S.C. § 103**

The Office Action rejected claims 5-6 under 35 U.S.C. § 103(a) as being unpatentable over Hagy in view of U.S. Publication No. US2002/0107649 ("Takiguchi").

The Office Action rejected claims 11 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Hagy in view of U.S. Patent No. 5,831,937 ("Weir").

The Office Action rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Hagy in view of Weir and U.S. Patent No. 6,006,165 ("Okada").

The Office Action rejected claims 14, 18, 21, 23, 33 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Hagy in view of the publication "Movement Awareness for a Sentient Environment" by Headon ("Headon").

As set forth above, claims 5, 6, 10, 11, 14, 18, 21, 23, 30, 33, and 39 are all patentable over the prior art of record. The prior art references of Takiguchi, Weir, Okoda and Headon all fail to remedy the deficiencies of Hagy described above. Headon also describes a special device, called an "Active Floor," that is used to obtain information. [Headon, at page 3, Figure 1] This is the same approach used by Hagy. Weir ignores the floor and uses ultrasound pulses aimed at and reflected from the subject. [Weir at Abstract] Takiguchi also ignores the floor and uses a microphone to obtain sound transmitted through the subject's body. [Takiguchi, at Abstract] Therefore, for at least the reasons set forth above, Applicants respectfully request that these rejections in the Office Action be withdrawn.

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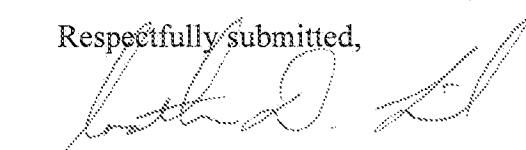
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 202-481-9990.

Respectfully submitted,



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Attachments  
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